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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/460,007 12/13/99 HARPER, JR.

D BERG-2462/C

EXAMINER

MMC2/0629

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.

09/460,007

Applicant(s)

Harper, Jr

Examiner

Truc Nguyen

Group Art Unit

2833

☒ Responsive to communication(s) filed on Jun 1, 2000

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claim

☒ Claim(s) 1, 3-8, and 10-21 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1, 3-8, and 10-21 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☒ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☐ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 2

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

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## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

2. Claims 1, 3-8, 10-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Taylor et al (US 5,876,219).

Regarding claims 1, 3-8 and 10-11, 16-21, Taylor et al disclose an electrical connector comprising:

a rectangular dielectric material housing (10);

a plurality of solder balls (48) surface mount contacts;

areas (17) of reduce rigidity on a peripheral of the frame of the housing which are located at position furthest or at a corner of the housing from a neutral point of the connector and comprises a notch (17) and a slot (60), wherein the areas of reduced rigidity are disposed to absorb stress and accommodate warp.

Regarding claims 12-15, Taylor et al disclose a method of reducing rigidity in a housing of an electrical connector, comprising:

determining a location on said housing which may build up stress; and

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removing a portion (17) of the housing (10) at said location, wherein the position is located to absorb stress and accommodate warp and is one of a slot (60) and a notch (17).

### ***Response to Arguments***

3. Applicant's arguments filed on June 1, 2000 have been fully considered but they are not persuasive.

Regarding applicant's argument:

*"The Taylor et al neither disclosed nor suggested ...area of reduced rigidity in the housing located at positions generally furthest from a neutral point of the connector.";* and

*"The area reduced thickness 17 do not avoid stress build up and are not provided in the housing at the positions generally furthest from a neutral point of the connector,"*

The examiner respectfully disagrees with applicant. Taylor et al disclose in Figure 2 several areas reduced thickness (17) that includes the furthest one from a neutral point of the connector housing. Although the reduced thickness (17) of Taylor et al is not intended for avoiding stress build up in the housing, it has been held that a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitation. *Ex Parte Masham, 2 USPQ2d 1647 (1987).*

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*Conclusion*


4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Truc T. Nguyen whose telephone number is (703) 306-4004. The examiner can normally be reached on Monday through Thursday from 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula Austin Bradley, can be reached on (703) 308-2319. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-7722.

TN - June 21, 2000.

  
Paula Bradley  
Supervisory Patent Examiner  
Technology Center 2800